

**DECLARATION FOR UTILITY OR DESIGN  
PATENT APPLICATION (37 CFR 1.63)**

Attorney Docket No: 2066.018  
Inventor Name: Young et al.

- ☒ Declaration submitted with Initial filing  
☐ Declaration submitted after Initial  
Filing (with surcharge)  
(37 CFR 1.15 (e))

**COMPLETE IF KNOWN**

Application No:  
Filing Date: (Filed herewith)  
Group Art Unit:  
Examiner Name:

I, below named inventor, I hereby declare that:

As

My residence, post office addr., and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**CANCEROUS DISEASE MODIFYING ANTIBODIES**

the specification which

X is attached hereto OR

was filed on \_\_\_\_\_ As United States Application No. or PCT Int'l. Appln. No. \_\_\_\_\_ and was  
amended on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) of any foreign application(s) for patent or inventor's certificate, or 385(a) of any PCT International application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or any PCT International application having a filing date before that of the application on which priority is claimed.

PRIOR FOREIGN NUMBERS:	COUNTRY:	FOREIGN FILING DATE:	PRIORITY NOT CLAIMED:	CERTIFIED COPY Yes No
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- ☐ Additional foreign appln. nos. are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below:

APPLICATION NUMBER(s):

FILING DATE:

- ☐ Addnl. provisional appln. Nos. are listed on a Supplementary priority data Sheet PTO/SB/02B attached.

# DECLARATION - UTILITY or DESIGN PATENT APPLICATION

I hereby claim the benefit under 35 U.S.C. 120 of any United States application(s), or 365(c) of any PCT International application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

U.S. PARENT APPLICATION  
or PCT NUMBER:

PARENT FILING DATE:

PARENT PATENT NO:  
(If applicable)

☐ Additional U.S. or PCT international applications are listed on a supplemental priority data sheet PTO/SB/028 attached hereto.

As a named inventor, I hereby appoint the following registered practitioner(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

☒ Customer No: 21917 PLACE CUSTOMER NO. BAR CODE LABEL HERE  
OR


Registered practitioner(s) name/registration number(s) listed below.

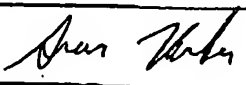
NAME:	REGISTRATION NO:	NAME:	REGISTRATION NO:
Michael A. Slavin	34,016	C. Fred Rosenbaum	27,110
Ferris H. Lander	43,377		

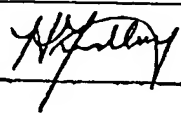
DIRECT ALL CORRESPONDENCE TO:

McHale & Slavin, P.A.  
4440 PGA Blvd., Suite 402  
Palm Beach Gardens, FL 33410  
TELEPHONE: (561) 625-6575  
FAX: (561) 625-6572

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 17 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF FIRST INVENTOR:		<input type="checkbox"/> A Petition has been filed for this unsigned inventor,	
Given Name (first and middle (if any)) David S. F.		Family Name or Surname Young	
Inventor's Signature 		Date Jan 29, 03	
Residence: City Toronto	State Ontario M5J 2S7	Country Canada	Citizenship Canadian
Mailing Address 33 University Avenue, Suit 2407			
City Toronto	State Ontario M5J 2S7	Country Canada	

NAME OF SECOND INVENTOR:		<input type="checkbox"/> A Petition has been filed for this unsigned inventor.	
Given Name (first and middle (if any)) Susan E.		Family Name or Surname Hahn	
Inventor's Signature 		Date 2003/01/26	
Residence: City Toronto	State Ontario M6P 3N7	Country Canada	Citizenship Canadian
Mailing Address 8 Innisfree Court			
City Toronto	State Ontario M6P 3N7	Country Canada	

NAME OF THIRD INVENTOR:		<input type="checkbox"/> A Petition has been filed for this unsigned inventor.	
Given Name (first and middle (if any)) Helen P.		Family Name or Surname Findlay	
Inventor's Signature 		Date Jan 20 2003	
Residence: City Toronto	State Ontario M8P 3E9	Country Canada	Citizenship Canadian
Mailing Address 205 Glendonwynne Road			
City Toronto	State Ontario M8P 3E9	Country Canada	

**AMERICAN TYPE CULTURE COLLECTION**

10801 University Blvd.  
Manassas, VA 20110-2209  
Telephone: 703-365-2700  
Fax: 703-365-2745

**FACSIMILE**

**Date:** November 18, 2003

**To:** Lisa Cecchetto  
**Fax Number:** 416-862-9696

**From:** ATCC Patent Depository **Number of pages:** 1 (Including this page)

**REFERENCE:** Patent Deposit (Ref: Docket or Case No.: 2056,018)

**Mouse Hybridoma Cell Line:** 11BD-2E11-2 assigned PTA-5643.

**Date of Deposit:** November 11, 2003. Paperwork will be forwarded to you in a few days. An invoice will be sent under separate cover referencing PO# 400272 as follows:

Standard storage/informing	\$ 1,150.00
Viability Test	320.00
<b>Total amount to PTA-5643</b>	<b>\$ 1,470.00</b>

  
\_\_\_\_\_  
Marie Harris, Patent Specialist  
ATCC Patent Depository

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## BUDAPEST TREATY ON THE INTERNATIONAL RECOGNITION OF THE DEPOSIT OF MICROORGANISMS FOR THE PURPOSES OF PATENT PROCEDURE

### INTERNATIONAL FORM

#### RECEIPT IN THE CASE OF AN ORIGINAL DEPOSIT ISSUED PURSUANT TO RULE 7.3 AND VIABILITY STATEMENT ISSUED PURSUANT TO RULE 10.2

To: (Name and Address of Depositor or Attorney)

Arius Research Inc  
Attn: Lisa Cecchetto  
55 York Street, 16<sup>th</sup> Floor  
Toronto, ON M5J 1R7  
Canada

Deposited on Behalf of: Arius Research Inc.

Identification Reference by Depositor:

Mouse Hybridoma: 1A245.6

Patent Deposit Designation

PTA-4889

The deposit was accompanied by: ☐ a scientific description ☐ a proposed taxonomic description indicated above.

The deposit was received January 8, 2003 by this International Depository Authority and has been accepted.

AT YOUR REQUEST: ☒ We will inform you of requests for the strain for 30 years.

The strain will be made available if a patent office signatory to the Budapest Treaty certifies one's right to receive, or if a U.S. Patent is issued citing the strain, and ATCC is instructed by the United States Patent & Trademark Office or the depositor to release said strain.

If the culture should die or be destroyed during the effective term of the deposit, it shall be your responsibility to replace it with living culture of the same.

The strain will be maintained for a period of at least 30 years from date of deposit, or five years after the most recent request for a sample, whichever is longer. The United States and many other countries are signatory to the Budapest Treaty.

The viability of the culture cited above was tested January 27, 2003. On that date, the culture was viable.

International Depository Authority: American Type Culture Collection, Manassas, VA 20110-2209 USA.

Signature of person having authority to represent ATCC:

Marie Harris  
Marie Harris, Patent Specialist, ATCC Patent Depository

Date: February 11, 2003

cc: Mr. Ferris Lander  
(Ref: Docket or Case No.: 2056.018)

# ATCC

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To: (Name and Address of Depositor or Attorney)

Arius Research Inc  
Attn: Lisa Cechetto  
55 York Street, 16<sup>th</sup> Floor  
Toronto, ON M5J 1R7  
Canada

Deposited on Behalf of: Arius Research Inc.

Identification Reference by Depositor:

Mouse Hybridoma: 7BD-53-11A

Patent Deposit Designation

PTA-4890

The deposit was accompanied by: ☐ a scientific description ☐ a proposed taxonomic description indicated above.

The deposit was received January 8, 2003 by this International Depository Authority and has been accepted.

AT YOUR REQUEST: ☒ We will inform you of requests for the strain for 30 years.

The strain will be made available if a patent office signatory to the Budapest Treaty certifies one's right to receive, or if a U.S. Patent is issued citing the strain, and ATCC is instructed by the United States Patent & Trademark Office or the depositor to release said strain.

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The strain will be maintained for a period of at least 30 years from date of deposit, or five years after the most recent request for a sample, whichever is longer. The United States and many other countries are signatory to the Budapest Treaty.

The viability of the culture cited above was tested January 19, 2003. On that date, the culture was viable.

International Depository Authority: American Type Culture Collection, Manassas, VA 20110-2209 USA.

Signature of person having authority to represent ATCC:

Marie Harris  
Marie Harris, Patent Specialist, ATCC Patent Depository

Date: February 11, 2003

cc: Mr. Ferris Lander  
(Ref: Docket or Case No.: 2056.018)